

**Regular Meeting**  
***Board of Zoning Appeals***  
**March 7, 2012**

Secretary Brad Schnarr called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Josh Gunselman took roll call as follows:

Jerry Uebelhor, Chairman	-Absent	Randy Mehringer	-Present
Brad Schnarr, Vice Chairman	-Present	Bob Cook	-Present
Josh Gunselman, Secretary	-Present	Darla Blazey, Bldg. Comm.	-Present
		Atty. Bill Shaneyfelt	-Present

**PLEDGE OF ALLEGIANCE**

Vice Chairman Schnarr led the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

Minutes of the February 1, 2012, Regular Meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. It was seconded by Secretary Gunselman. Motion carried 4-0.

**STATEMENT**

Vice Chairman Schnarr read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

**OLD BUSINESS**

Petition of Health and Hospital Corporation of Marion County, d/b/a/ The Timbers of Jasper for a variance from Section 16.03.060 (Limitation on Signs)

Susan Meadows was present on behalf of The Timbers of Jasper to request permission to erect a brick monument sign on its property located at 2909 Howard Drive. The property is zoned R-2, and the nursing home operates in that district with a special exception that was previously granted. According to the zoning ordinance, only four-square feet of signage is allowed in a residential district. Ms. Meadows said the request for a larger, business-like sign would allow The Timbers of Jasper to be more viewable to the public.

The public hearing was tabled at last month's meeting. By consensus, the Board members told Ms. Meadows that they were not comfortable with the 72 square feet as requested and advised her to 'go back to the drawing board' and revise the sign to measure no larger than 50 square feet, which is the maximum size allowed by city ordinance in a business zone.

Ms. Meadows displayed a sketch with the new dimensions, which measured 60 square feet instead of 50 square feet that was requested by the Board. She explained that the sign would set back from the road and not cause any visual problems to passersby.

David Alexander, who was present representing the home office of American Senior Communities, told the Board that the proposed sign is part of the company's branding, and along with a one million dollar remodeling to The Timbers, the sign would contribute to the pride American Communities portrays through its properties.

Discussion followed. With no objections from any remonstrators regarding the size of the sign, Bob Cook made a motion to close the public hearing. Josh Gunselman seconded it. Motion carried 4-0.

Bob Cook made a motion to grant a variance from Section 16.03.060, to allow a sign at 2909 Howard Drive, not to exceed 60 square feet. Secretary Gunselman seconded it. Motion carried 4-0.

## **NEW BUSINESS**

### **Petition of Ann Neal Corp, d/b/a Norm's Market and Jasper City Bakery for a variance from Section 16.03.060 (Limitation on Signs).**

Terry Seibert, property manager for Ann Neal Corp., was present on behalf of Jeff Tunks to request a variance for a sign on the warehouse behind Norm's Market, which is located at 600 Truman Road. The proposed sign is already painted on the south side of the building. Because of the sign's location, it cannot be seen from Truman Road, which is where customers access the market and bakery. However, the sign is large enough to be seen by drivers traveling north on U.S. 231.

There was much discussion regarding the size of the sign. When asked about the specific dimensions of the sign and warehouse, Mr. Seibert said he was not for certain what they were. Also discussed was whether or not the warehouse should be classified as its own building or part of the main building, since it is connected by a breezeway. Attorney Bill Shaneyfelt said the 'definition' of a building is vague enough in the ordinance that the warehouse could be considered a separate building. He added that the company has to be given the benefit of the doubt because of the vagueness of the definition.

There were no remonstrators present. Board members decided to continue its discussion and requested that Mr. Seibert gather all the information needed and appear again at next month's meeting, which is scheduled for April 4<sup>th</sup> at 6:30p.m.

Bob Cook made a motion to table the public hearing. Randy Mehringer seconded it. Motion carried 4-0.

### **Petition of Dr. Michael and Tammy Love for a variance to allow a second accessory building on a residential lot and a variance from Section 16.02.140 (Height Regulations).**

Dave Hurm was present on behalf of Dr. Michael and Tammy Love to request a variance to construct a second accessory building (pool house) on their property located at 1895 Gun Club Road. Mr. Hurm explained that when Dr. Love's house was built, a pool was installed at

basement level, which gave access to the living area and restroom facilities. Plans now are to move the pool to ground level and build a pool house for restroom facilities and shelter from in climate weather. Mr. Hurm said the pool and pool house would be behind the home, out of public view.

There were no remonstrators present. After some discussion, Bob Cook made a motion to close the public hearing. Secretary Gunselman seconded it. Motion carried 4-0.

Bob Cook made a motion to grant a variance to allow a second accessory building (pool house) at 1895 Gun Club Road. Randy Mehringer seconded it. Motion carried 4-0.

Mr. Hurm also requested a height variance of 25 feet for the pool house. He said the request is due to aesthetic reasons, which would allow the pool house to blend in with the roof pitch of the residence.

With no remonstrators present, Randy Mehringer made a motion to close the public hearing. Bob Cook seconded it. Motion carried 4-0.

Randy Mehringer made a motion to grant a variance to allow a height for the pool house not to exceed 25 feet. Bob Cook seconded it. Motion carried 4-0.

With no further discussion, Bob Cook made a motion to adjourn the meeting, seconded by Secretary Gunselman. Motion carried 4-0, and the meeting was adjourned at 7:27 p.m.

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Jerry Uebelhor, Chairman

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Josh Gunselman, Secretary

Kathy M. Pfister, Recording Secretary